

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CRIMINAL NO. 12-CR-30134-MJR
	)	
INEZ VALDEZ,	)	
	)	
Defendant.	)	

**RESPONSE IN OPPOSITION TO DEFENDANT'S  
MOTION TO REVIEW AND REVOKE PREVIOUS DETENTION ORDER**

The United States of America, by Stephen R. Wigginton, United States Attorney for the Southern District of Illinois, and Donald S. Boyce, Assistant United States Attorney, in response to the Defendant's Motion to Review and Revoke Previous Detention Order, states as follows:

1. On May 24, 2012, the indictment was returned in this case, charging the Defendant with Conspiracy to Distribute over 5 Kilograms of Cocaine. (Doc 1). On January 31, 2013, the Defendant was arrested in the District of New Mexico, and on February 4, 2013, the Defendant was committed to the Southern District of Illinois. (Doc 55). On March 5, 2013, the United States filed a Motion to Detain the Defendant, and a hearing was held on the motion on March 8, 2013. (Doc. 63, 69).

2. At the detention hearing, the Defendant's primary argument in favor of bond was the same argument that he makes in the instant motion – that his son is hospitalized and that the Defendant wants to be on bond in order to assist his family.

3. At the detention hearing, the government proffered evidence and argued that the Defendant was a danger to the community and a flight risk. The government proffered to the Court that shortly after the indictment was returned in this case, the attorney for the government

was contacted by an attorney on the Defendant's behalf. The attorney explained that the Defendant's son was in the hospital in Texas with a serious medical condition and that the Defendant would turn himself in if the government did not seek detention. The attorney for the government told the attorney calling for the Defendant that the government would be seeking detention, and, subsequently, the Defendant did not turn himself in. Also at the detention hearing, the government proffered that the DEA Agents in this case had gone to Texas in order to attempt to locate the Defendant to arrest him on the warrant in this case, and they were not able to locate the Defendant at the hospital where the Defendant's son was receiving care. The government further proffered evidence (which the Defendant denied) that when the Defendant was finally arrested in New Mexico, DEA Agents were attempting to stop a vehicle that they believed was involved in drug activity. The agents in New Mexico reported to SA Michael Rehg that the Defendant ran from them and they had to chase the Defendant and physically restrain him in order to arrest him.

4. At the conclusion of the detention hearing, the Court ordered the Defendant detained. (Doc. 70). The Court found that the Defendant is both a danger to the community and a flight risk.

5. The instant motion to review and revoke the previous detention order should be denied because it presents no new information. The Court has already heard the Defendant's argument that he should get a bond in order to assist his son, and the Court rejected that argument. Nothing in the instant motion should change the Court's original findings that the Defendant is a danger and a flight risk.

6. Finally, the government submits that because the instant motion contains no new evidence or arguments, no hearing on the motion is necessary.

WHEREFORE, for the foregoing reasons, the United States of America respectfully requests that the Defendant's Motion to Review and Revoke Previous Detention Order be denied without a hearing.

Respectfully submitted,

STEPHEN R. WIGGINTON  
United States Attorney

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*Certificate of Service*

I hereby certify that on June 19, 2013, I caused to be electronically filed

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with the Clerk of Court using the CM/ECF system which will send notification of such filing(s)  
to the following:

Peter M. Cohen, Esq.

Respectfully submitted,

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